APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,431	10/31/2001	George S. Gales	10016933-1	2381

7590   08/31/2005

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EXAMINER
PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/001,431	GALES ET AL.
	Examiner	Art Unit	
	Venkatanarayanan Perungavoor	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/12/2005 have been fully considered but they are

   not persuasive. As Chefalas et al.(hereinafter Chefalas) in U.S. Patent

   Publication No. 2002/011639 A1 discloses the file for which a generating a log

   and further an VDL file that identifies a attack, one attribute of specified attack, a

   policy definition and an least attribute of the attack see Fig. 4A-5B & Par. 0046.

2. For citation of 35 USC § 102(e) and 35 USC § 103(a) please consult previous

   office action.

Response to Amendment

Claim Rejections - 35 USC § 102

3. Claim 1, 3-29 rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

   Patent Publication No 2002/011639 A1 to Chefalas et al.(hereinafter Chefalas)

4. Regarding Claim 1, Chefalas discloses generating a log file and a file that

   contains instructions for viruses see Fig. 4A-5B & Par. 0046; specifying the name

   of virus being detected (identity of an attack) and what computer it was

   detected(an attribute of attack) on see Par. 0030. Further, Chefalas discloses

   specifying an policy with regard to the virus(policy definition with respect to

   attack) and also discloses an attribute of the policy see Par. 0030 & Par. 0044 &

   Par. 0060.

5. Regarding Claim 3, 13, Chefalas discloses the specifying security category of the specified attack and further discloses the policy with respect to specified category see Figure 5A.

6. Regarding Claim 4, Chefalas discloses the security product executing on the computer system see Par. 0012.

7. Regarding Claim 5, Chefalas discloses the identification of the severity associated with a breach see Par. 0044.

8. Regarding Claim 6, Chefalas discloses the type of virus that infected the client(specifying description of the attack) see Par. 0060.

9. Regarding Claim 7, Chefalas discloses the specifying of why the specified attack is important and the need for protection see Par. 0059.

10. Regarding Claim 8, 14, Chefalas discloses the reporting of information to a manager(specifying how information is reported to a user with respect to an specified attack) see Par. 0030 & 0047.

11. Regarding Claim 9, 15 and 16, Chefalas discloses scheduling of maintenance of

server in response to breach and further to repair the vulnerablity(specifying an

application operable to respond to breach) see Par. 0060.

12. Regarding Claim 10, Chefalas discloses the specifying network protocols, data

patterns and action in response to detecting specified network protocol and data

pattern see Par. 0054-0058.

13. Regarding Claim 11, Chefalas discloses the what action to take in response to an

attack(specifying a direction of data flow) see Par. 0062.

14. Regarding Claim 12, Chefalas discloses generating a log file and a file that

contains instructions for viruses see Fig. 4A-5B & Par. 0046; specifying the name

of virus being detected (identity of an attack) and what computer it was detected

and type(an attribute of attack) on see Par. 0030. Further, Chefalas discloses

specifying an policy with regard to the virus(policy definition with respect to

attack) and also discloses an attribute of the policy see Par. 0030 & Par. 0044 &

Par. 0060. And further the computing platform of the system see Par. 0033.

15. Regarding Claim 17, Chefalas discloses generating a log file and a file that

contains instructions for viruses see Fig. 4A-5B & Par. 0046; an vulnerability

description file containing definition of attack and policy item for the attack see

Figure 4A items 406 & 408, an interpreter to parse the attack and policy and

organize to an predetermined format see Par 0046-0048; an data storage to

store parsed and organized information accessible by an application see 0048.

16. Regarding Claim 18, Chefalas discloses the use of relational database see Par.

0048.

17. Regarding Claim 19, Chefalas discloses the use of memory for data storage see

Par. 0040.

18. Regarding Claim 20, Chefalas discloses the definition of a security product see

Par. 0047.

19. Regarding Claim 21, Chefalas discloses the grouping of one attack and an policy

see Fig. 5A.

20. Regarding Claim 22, Chefalas discloses the definition of an computing platform

see Par. 0033.

21. Regarding Claim 23 and 25, Chefalas discloses the type of attack and which

client was infected and time it was infected see Par. 0060 & Fig. 5A.

22. Regarding Claim 24, Chefalas discloses the identification of the severity associated with a breach see Par. 0044.

23. Regarding Claim 26, Chefalas discloses the displaying and reporting of results of the attack see Par. 0047.

24. Regarding Claim 27, Chefalas discloses scheduling of maintenance of server in response to breach and further to repair the vulnerablity(specifying an application operable to respond to breach) see Par. 0060.

25. Regarding Claim 28, Chefalas discloses the specifying network protocols, data patterns and action in response to detecting specified network protocol and data pattern see Par. 0054-0058.

26. Regarding Claim 29, Chefalas discloses the what action to take in response to an attack(specifying a direction of data flow) see Par. 0062.

Claim Rejections - 35 USC § 103

27. Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No 2002/011639 A1 to Chefalas et al.(hereinafter Chefalas) in view of U.S. Patent 6279113 B1 to Vaidya.

28. Regarding Claim 2, Chefalas discloses the specifying of computing platform of

the computing system see Par. 0033. But Chefalas does not disclose the

signature of the attack. However, Vaidya discloses the signature of the attack

see Abstract & Col 2 Line 30-52. It would be obvious to one having ordinary skill

in the art at the time of the invention to include signature of attack of Vaidya's in

the invention of Chefalas in order to catalog specific signatures as taught in

Vaidya see Col 2 Line 34-36.

Conclusion

29. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).   A shortened statutory period for reply to

this final action is set to expire THREE MONTHS from the mailing date of this

action. In the event a first reply is filed within TWO MONTHS of the mailing date

of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee

pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire

later than SIX MONTHS from the mailing date of this final action.

30. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Venkatanarayanan Perungavoor whose telephone

number is 571-272-7213. The examiner can normally be reached on 8-4:30. If

attempts to reach the examiner by telephone are unsuccessful, the examiner's
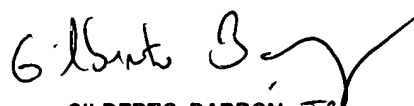
supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

31. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP

8/24/2005

GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100